



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,172	08/01/2003	Wilhelm Hagg	282464US8X	4591

22850 7590 02/12/2008
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

PATEL, NIMESH G

ART UNIT	PAPER NUMBER
----------	--------------

2111

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

02/12/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary

Application No.

10/633,172

Applicant(s)

HAGG ET AL.

Examiner

Nimesh G. Patel

Art Unit

2111

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 7-11 and 14-17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claims recite an intelligent gateway device comprising: "an isochronous stream handler adapted to be controlled by said device presenter or said device emulator." However, this is not supported by the specification. According to the specification, the iso handler is a separate device provided between respective interface 101-104 and the shared memory 602 and its operation controlled by the corresponding bus interface, not the device presenter or emulator, as claimed(see Specification Page 8, Lines 25-27 and 30-31).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2111

4. Claims 1-4, 6 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Peter M Corcoran("Mapping Home-Network Appliances to TCP/IP Sockets Using a Three-Tiered Home Gateway Architecture," cited by Applicant).

5. Regarding claim 1, Corcoran discloses a dumb gateway(Figure 5, Siod; Page 734, Section 4.2.1, Lines 1-4) for connecting at least one bus system(Figure 5, HAS Network Medium) with a common network layer(Figure 5, Wide Area Network) that is designed to build a transparent access network by connecting said at least one bus system via the dumb gateway device to said common network layer, said dumb gateway comprising: a bus service interface configures to provide access to all functionality and commands of said at least one bus system via said common network layer to an intelligent gateway(Figure 5, Interface Gateway) connected to said common network layer(Page 732, RHC, Paragraphs 4-5).

6. Regarding claim 2, Corcoran discloses a dumb gateway, wherein said bus service interface is able to post bus events on said common network layer in case a device within said respective bus system indicates the possibility to communicate via the common network layer(Page 732, RHC, Paragraph 4; Page 734, Section 4.2.1).

7. Regarding claim 3, Corcoran discloses a dumb gateway, wherein said bus service interface is usable by a device presenter to communicate with the corresponding real device connected to another bus system(Page 734, Section 4.2.4, First Paragraph).

8. Regarding claim 4, Corcoran discloses a dumb gateway, wherein said bus service interface is able to represent a virtual device to its respective bus system based on a corresponding device emulator(Page 734, Section 4.2.4, First Paragraph).

9. Regarding claim 6, Corcoran discloses a dumb gateway, wherein said intelligent gateway(Figure 5, Interface Gateway) communicates with said dumb gateway(Figure 5, Siod; Page 734, Section 4.2.1, Lines 1-4), which respectively connect a respective bus system(Figure

Art Unit: 2111

5, HAS Network Medium), which comprises at least one physical device(Figure 5, HAS Devices), with a common network layer(Figure 5, Wide Area Network), comprising a static or dynamic possibility to provide at least one device presenter and/or at least one device emulator of at least one physical device to said common network layer(Page 732, RHC, Paragraphs 4-5).

10. Regarding claim 13, Corcoran discloses a transparent access network that integrates at least two bus systems, each of which comprises a respective gateway device according to claim 1, comprising at least one intelligent gateway(Figure 5, Interface Gateway) for communicating between gateway devices(Figure 5, Siod; Page 734, Section 4.2.1, Lines 1-4), which respectively connect a respective bus system(Figure 5, HAS Network Medium), which comprises at least one physical device(Figure 5, HAS Devices), with a common network layer(Figure 5, Wide Area Network), comprising a static or dynamic possibility to provide at least one device presenter and/or at least one device emulator of at least one physical device to said common network layer, said common network layer being connected to the respective gateways and said at least one intelligent gateway(Page 732, RHC, Paragraphs 4-5).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Corcoran, in view of what is well known in the art.

13. Regarding claim 5, Corcoran does not specifically disclose a dumb gateway, wherein said bus service interface communicates via said common network layer according to the

Art Unit: 2111

Universal Plug and Play protocol set. However, official notice is being taken that Universal Plug and Play protocol set is well known in the art and it would have been obvious to one of ordinary skill in the art to use Universal Plug and Play protocol set, since this would allow the advantage of existing networks and be supported by any operating system and device.

Response to Arguments

14. Applicant's arguments, filed October 30, 2007, with respect to the rejection(s) of claim(s) 1-6 and 13 under U.S.C 112 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Corcoran.

15. Applicant's arguments with respect to claims 7-11 and 14-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2111

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nimesh G. Patel whose telephone number is 571-272-3640. The examiner can normally be reached on M-F, 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinehart H. Mark can be reached on 571-272-3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nimesh G Patel
Examiner
Art Unit 2111

NP
February 4, 2008


Glenn A. Auve
Primary Patent Examiner
Technology Center 2100